

In The United States District Court
For The District Of Delaware

James W. Riley,
Plaintiff,

v.

Stanley Taylor, et al.,
Defendants.

x
x
x
x
x
x
x
x
x

C.A. No. # 06-01-GMS



Objection To The Court's Order

BD scanned

Issued On February 25, 2008

I.O. #95

The plaintiff in the above captioned civil action objects to the court's February 25, 2008 ORDER placing an undue burden upon plaintiff to show cause justifying his request to issue a subpoena upon investigative reporter Lee Williams of The New Journal Delaware Newspaper. In support hereto, plaintiff point out to the court that the Letter To The Clerk Of The Court and Accompanying Subpoena referred to in the Court's Order (I.O. #95) as "postmarked December 14, 2007" are attachments to "Plaintiff's Motion To Amend The Court's September 26, 2007 Scheduling Order." (See Docket Entry I.O. #91).

The October 17, 2007 Letter to the Clerk with attached subpoena (I.O. #87) and the Letter to Medical

defendants' Attorney, Kevin J. Connors (I.D.#88) , were attached to document I.D.#91 in support of Plaintiff's Motion To Amend Scheduling Order because defendants are breaching the duty to provide any discovery materials.

Therefore the documents the Court refer to in its Order is plaintiff's motion To Amend The Scheduling Order. (I.D.#91 Motion and attachments I.D.# 88 & 89 - All One Motion). These documents should not have been filed separately!

Actually the Letter/Subpoena request is docketed at I.D.#78 and is entered on the record 10/23/2007.

The Court's Order is dealing with plaintiff's Motion To Amend The Scheduling Order issued by the Court on September 26, 2007. In that motion plaintiff explained the relevancy of the information requested in the subpoena. Note: The Court can personally inspect this information on the Website established by Reporter Lee Williams. (See online discussion at www.delawareonline.com). This information can be obtained off the computer by the Court as part of plaintiff's discovery request. Mr. Williams' establishment of a website shall satisfy any concern about oppressive use of the subpoena process or any concern about costs associated with the subpoena.

Furthermore, the burden should be placed upon the defendants to answer plaintiff's motion TO Compel

Discovery (I.D.#90), Motion To Amend Court's Scheduling Order (I.D.#91) and Plaintiff's Letter to medical defendants' Attorney, Kevin J. Conners (I.D.#89) for failure to provide Plaintiff with a copy of sealed medical records filed with the court which violate F.R.C.R. Rule 5 (a). Defendants egregious breach of the discovery Order of the Court is interfering with plaintiff's duty to prosecute this case. These pleadings (I.D.#90, 91 & 89) were docketed on the same date as the Letter/Subpoena document (I.D.#89 entered in error), however the Court only issued an Order regarding the subpoena because it place an undue burden upon plaintiff. But the other pleadings about the defendants violations of the discovery Order which would place a burden upon them to explain their breaches, the court biasly disregarded those pleadings which demonstrate defendants continued denial and failure to provide plaintiff access to any medical treatment. (See Plaintiff's recent Motion To File The Attached Medical Document I.D.#94).

Wherefore, plaintiff's objections shall be sustained against the ORDER of the Court dated February 25, 2008, for the reasons stated above. Plaintiff cannot respond to any more Orders of the Court until defendants honor all his discovery requests in full.

NOTE: March 11, 2008

James W. Riley
 James W. Riley pro se
 Delaware Correctional Center
 1181 Paddock Road
 Smyrna, Delaware 19962

Certificate of Service

I, James Riley, hereby certify that I have served a true and correct cop(ies) of the attached: Objections To The Courts Order Issued On Feb. 25, 2008 upon the following parties/person (s):

TO: Ophelia M. Waters
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, Delaware
19801

TO: _____

TO: Kevin J. Connors
1220 N. Market St., 5th fl.
P.O. Box 8888
Wilmington, Delaware
19899-8888 ~~19977~~

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 14 day of March, 2008

James Riley

Pay-To: <u>Mail Room</u>	Date: <u>March 1, 2008</u>
The Sum of: _____	Amount: \$ _____
Address to whom sent:	and Cents _____
<u>Mail Room</u>	SBI # <u>169716</u>
<u>Det. Corr. Ctr.</u>	Log # _____
<u>1181 Paddock Rd.</u>	Check # _____
<u>Smyrna, Dela. 19977</u>	Date of Check _____
Inmate Printed Name <u>James Riley</u>	
Inmate Signature <u>James Riley</u>	
OIC Printed Name _____	
OIC Signature _____	
Lieutenant Printed Name and Signature if Over \$100.00 _____	
Shift Commander Printed Name and Signature if Over \$1,000.00 _____	

IM James Riley
SBI# 16916 UNIT SHU Bldg. 9
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977



U.S.M.S.
X-RAY

Clerk's Office
U. S. District Court
844 King Street
Wilmington, Delaware

1986

ISSUED 3/5/2008 10:12 AM BY U.S. DISTRICT COURT, WILMINGTON, DE